

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **PATENT APPLICATION**
Re: Appeal to The Board of Patent Appeals and Interferences

In re PATENT APPLICATION of
Inventor(s): HETTICHE, Helmut
Appln. No.: 07 / 551,644
series code ↑ ↑ serial no.

Filed: November 12, 1991

Title: AZELASTINE-CONTAINING MEDICAMENTS

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231
Sir:

Group Art Unit: 152
Examiner: L. Piccone

(Our Deposit Account No. 03-3975
(Our Order No. 326 / 62748
C# / M#
Atty. Dkt. 62748 / 87-217 PH
M# / Client Ref.
Date: February 12, 1992

1. ☒ **NOTICE OF APPEAL:** Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated September 12, 1991 of the Examiner twice/finally rejecting claims 1 - 18

2. ☐ **BRIEF** on appeal in this application is attached in triplicate.

3. ☐ An **ORAL HEARING** is respectfully requested under Rule 194 (due one month after Examiner's Answer or three months after filing a reply to new ground rejection in Examiner's Answer. Neither due date is extendable).

4. ☐ Reply Brief (only to new point(s) of argument, Rule 193(b)) is attached in triplicate.

5. ☐ Reply Brief (on new ground(s) of rejection, Rule 193(b)) is attached in triplicate.

6. ☐ "Small entity" verified statement filed: ☐ herewith. ☐ previously.

7. **FEE CALCULATION:**

Fees

	Large/Small Entity
If box 1 above is X'd, -----	enter \$260/\$130* \$ 260.00
If box 2 above is X'd, -----	enter \$260/\$130* \$
If box 3 above is X'd, -----	enter \$220/\$110* \$
If box 4 or 5 above is X'd, -----	enter -0- (no fee) \$

8. **Original** due date: December 12, 1991

9. **Petition is hereby made** to extend the original due date to cover the date of this paper and any enclosure for which the requisite fee is (Large/Small Entity: 1 month \$110/\$55; 2 months \$350/\$175; 3 months \$810/\$405; 4 months \$1,280/\$640) + 350.00

10. **Subtotal** \$ 610.00

11. **Enter** amount of extension fee paid ☐ previously since above original due date (item 8) ☒ with concurrently filed amendment----- and subtract 350.00

12. **TOTAL FEE** \$ 260.00

13. ☐ Fee Attached

14. ☐ *Fee **NOT** required since paid in prior appeal in which the Board of Patent Appeals and Interferences did not render a decision on the merits.

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. **This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.**

CUSHMAN, DARBY & CUSHMAN

1615 L Street, N.W.
Eleventh Floor
Washington, D.C. 20036-5601
Tel: (202) 861-3000
Atty/Sec: LAH/mey

By Atty: Lawrence A. Hymo Reg. No. 19,057

Sig: LAH Fax: (202) 822-0944
Tel.: (202) 861-3015

100 DH 02/20/92 07551644

1 119 260.00 CK

CDC-126 12/91